

The Honorable Robert C. Byrd  
Chairman, Senate Appropriations Committee  
528 Hart Office Building  
Washington, DC 20510

The Honorable Thad Cochran  
Ranking Member, Senate Appropriations  
Committee  
113 Dirksen Office Building  
Washington, DC 20510

The Honorable David Obey  
Chairman, House Appropriations Committee  
2134 Rayburn Office Building  
Washington, DC 20515

The Honorable Jerry Lewis  
Ranking Member, House Appropriations  
Committee  
2112 Rayburn Office Building  
Washington, DC 20515

The Honorable Richard Durbin  
Chairman, Subcommittee on Financial Services  
and General Government  
Senate Appropriations Committee  
332 Dirksen Office Building  
Washington, DC 20510

The Honorable Sam Brownback  
Ranking Member, Subcommittee on Financial  
Services and General Government  
Senate Appropriations Committee  
303 Hart Office Building  
Washington, DC 20510

The Honorable Jose E. Serrano  
Chairman, Subcommittee on Financial Services  
and General Government  
House Appropriations Committee  
2227 Rayburn Office Building  
Washington, DC 20515

The Honorable Ralph Regula  
Ranking Member, Subcommittee on Financial  
Services and General Government  
House Appropriations Committee  
2306 Rayburn Office Building  
Washington, DC 20515

February 15, 2007

The Need for a Substantial Salary Increase for Federal Judges

Gentlemen:

As General Counsel of the sixty major U.S. corporations signing below, we write to urge you to respond positively to Chief Justice John Roberts' plea in his year-end report on the Federal Judiciary<sup>1</sup> for a substantial increase to the salaries of federal judges. We agree with Chief Justice Roberts that the judicial

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<sup>1</sup> [www.supremecourtus.gov/publicinfo/year-end/year-endreports.html](http://www.supremecourtus.gov/publicinfo/year-end/year-endreports.html)

compensation situation, dire for years, has reached a crisis point and that judicial salaries have fallen below any reasonable measure of what is appropriate.

Starting salaries for freshly minted law school graduates now exceed in many markets what district judges with decades of experience are paid. The disparity between judicial salaries and pay for private practitioners with the qualifications to be federal judges is so enormous as to almost lack relevance, as Chief Justice Roberts points out in his Report. But now a substantial disparity has opened between judicial salaries and pay for law school deans and senior professors, a comparison which in the late 1960's favored federal judges. Further, as Chief Justice Roberts reports, pay for federal judges has declined in real terms compared to pay for the average U.S. worker.

We agree with Chief Justice Roberts that the shrinking percentage of federal judges drawn from the private bar, as opposed to the public sector, creates serious concern, as does the increasing number of judges resigning from the bench with years of active practice still before them. The Chief Justice is correct in highlighting both the quality and independence concerns that arise from the image of a federal judgeship as a stepping-stone to an enhanced career in the private sector. The New York Times, in an editorial on January 5, agrees, commenting: "Mr. Roberts is right to note the link between maintaining an adequate standard of judicial compensation and preserving the quality and independence of the judiciary, and to prod Congress on this issue."

Each of our companies has a significant litigation docket and thus we share a deep interest in the quality of the civil justice system, both federal and state. We are vitally interested in a high-quality, neutral and independent judiciary. We agree with Chief Justice Roberts that failing to restore judicial salaries to an appropriate level threatens the administration of justice by undercutting the quality and diversity of candidates drawn to and retained on the bench.

Accordingly, we urge you to take up Chief Justice Roberts' challenge and pass a substantial increase in federal judicial salaries. We understand that these salaries are, as a matter of law, linked to the salaries of congressmen, making consideration of this issue much more complex. To avoid that entanglement now and in the future, we urge that congressional and judicial salaries be decoupled and that the judicial salaries be significantly increased soon as suggested by Chief Justice Roberts.

Very truly yours,

Richard F. Ziegler  
Senior Vice President - Legal Affairs and  
General Counsel  
**3M**

Laura J. Schumacher  
Senior Vice President, Secretary & General Counsel  
**Abbott Laboratories**

Anastasia D. Kelly  
Executive Vice President, General Counsel,  
& Senior Regulatory and Compliance Officer  
**American International Group, Inc.**

Louise M. Parent  
Executive Vice President and General  
Counsel  
**American Express Company**

Ivan K. Fong  
Executive Vice President,  
Chief Legal Officer and Secretary  
**Cardinal Health, Inc.**

Charles A. James  
Vice President & General Counsel  
**Chevron Corporation**

Mark Chandler  
Senior Vice President, General Counsel and  
Secretary  
**Cisco Systems, Inc.**

Stephen F. Gates  
Senior Vice President and General  
Counsel  
**ConocoPhillips**

William D. Eggers  
Senior Vice President and General Counsel  
**Corning Incorporated**

Stacey J. Mobley  
Senior Vice President, General Counsel  
and Chief Administrative Officer  
**E.I Du Pont de Nemours & Company**

Randall E. Mehrberg  
Executive Vice President & General Counsel  
**Exelon Corporation**

Jason L. Katz  
Executive Vice President and General  
Counsel  
**Farmers Group Inc.**

Brackett B. Denniston III  
Senior Vice President, Secretary and  
General Counsel  
**General Electric Company**

Michael J. McCabe  
Senior Vice President & Chief Legal Officer  
**Allstate Insurance Company**

Roland K. Filippi  
Associate General Counsel - Corporate & Region  
(Western Hemisphere)  
**BP America**

James Buda  
Vice President, General Counsel and Secretary  
**Caterpillar Inc.**

Carol Ann Petren  
Executive Vice President & General Counsel  
**CIGNA Corporation**

Michael S. Helfer  
General Counsel Corporate Secretary  
**Citigroup, Inc.**

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Executive Vice President and General Counsel  
**Constellation Energy Group, Inc.**

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and Secretary  
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Executive Vice President, Secretary and General  
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Vice President and General Counsel  
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Senior Vice President and General Counsel  
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Senior Vice President, General Counsel & Secretary  
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Group Vice President and General Counsel  
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Esta Eiger Stecher  
Executive Vice President and General Counsel  
**The Goldman Sachs Group, Inc.**

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Executive Vice President & General Counsel  
**The Hartford Financial Services Group, Inc.**

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Senior Vice President and General Counsel  
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Senior Vice President - Law & Government Affairs  
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Senior Vice President and General Counsel  
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Executive Vice President & General Counsel  
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Executive Vice President, General Counsel and Secretary  
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Director  
**Owens-Illinois Inc.**

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Senior Vice President & General Counsel  
**GlaxoSmithKline**

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Executive Vice President & General Counsel  
**Halliburton Company**

Robert C. Weber  
Senior Vice President, Legal and Regulatory Affairs  
**IBM**

Russell C. Deyo  
Vice President and General Counsel  
**Johnson & Johnson**

Marvin A. Tenenbaum  
Vice President, Chief Legal Officer & Secretary  
**LECG, LLC**

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Executive Vice President and General Counsel  
**Merck & Co., Inc.**

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Senior Vice President and General Counsel  
**Microsoft Corporation**

Lawrence A. Jacobs  
Senior Executive Vice President and Group General Counsel  
**News Corporation**

W. Burks Terry  
Corporate Vice President and General Counsel  
**Northrop Grumman Corporation**

Daniel Cooperman  
Senior Vice President, General Counsel & Secretary  
**Oracle Corporation**

Larry D. Thompson  
Senior Vice President - Government Affairs, General Counsel and Secretary  
**PepsiCo, Inc.**

Allen Waxman  
Senior Vice President and General Counsel  
**Pfizer Inc.**

James C. Diggs  
Senior Vice President, General Counsel &  
Secretary  
**PPG Industries, Inc.**

James J. Johnson  
Chief Legal Officer  
**The Procter & Gamble Company**

Roderick A. Palmore  
Executive Vice President, General Counsel  
and Secretary  
**Sara Lee Corporation**

Catherine A. Lamboley  
Senior Vice President, General Counsel  
& Corporate Secretary  
**Shell Oil Company**

Leonard J. Kennedy  
General Counsel  
**Sprint Nextel Corporation**

Kim M. Brunner  
Executive Vice President, General Counsel &  
Secretary  
**State Farm Insurance Companies**

Joseph F. Hubach  
Senior Vice President, Secretary and  
General Counsel  
**Texas Instruments Incorporated**

Paul T. Cappuccio  
Executive Vice President and General Counsel  
**Time Warner, Inc.**

William B. Lytton  
Executive Vice President and General Counsel  
**Tyco International Ltd.**

Dan D. Sandman  
Vice Chairman and Chief Legal &  
Administrative Officer, General Counsel  
and Secretary  
**United States Steel Corporation**

William H. Trachsel  
Senior Vice President and General Counsel  
**United Technologies Corporation**

Michael D. Fricklas  
Executive Vice President, General Counsel  
& Secretary  
**Viacom Inc.**

Lawrence V. Stein  
Senior Vice President & General Counsel  
**Wyeth**

cc: The Honorable Harry Reid  
Senate Majority Leader

The Honorable Mitch McConnell  
Senate Minority Leader

The Honorable Nancy Pelosi  
Speaker of the House of Representatives

The Honorable John Boehner  
House Minority Leader

The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee

The Honorable Arlen Specter  
Ranking Member, Senate Judiciary Committee

The Honorable John Conyers  
Chairman, House Judiciary Committee

The Honorable Lamar Smith  
Ranking Member, House Judiciary Committee

James C. Duff  
Director, Administrative Office of the U.S. Courts